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DEC 11 2008

Application Serial No. 10/501,043
Reply to Non-final Office Action of September 11, 2008

PATENT
Docket: CU-3831

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 171-226 are pending before this amendment. By the present amendment claims 171-226 are amended. No new matter has been added.

In the office action (page 3), claims 171-226 stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite. In the office action (page 4), the examiner has indicated that all claims 171-226 would be allowable if amended to overcome the rejections under 35 U.S.C. § 112, 2nd paragraph.

As to claim 171, the examiner indicates that lines 1-3 of claim 171 are not clear as to whether the claimed "signal medium" is claimed as part of the overall claimed "infrastructure system for telecommunication" (claim 171, line 1). Further, the examiner indicates that (1) it is unclear which elements of independent claim 171 are part of the overall claimed system, (2) there is language in claim 171 that cannot be claimed in an apparatus claim apart from claimed structure to perform the action, (3) several words lack clear antecedent basis, (4) several elements are objected to as lacking definite property ranges, and (5) the meaning of several elements is unclear in the given context.

In response, the applicants have amended claim 171 for clarity to recite:

--A system facilitating telecommunication capability for an infrastructure comprising:
a signal medium;
a systematic and distributed signal conditioner comprising
transponders, the transponders at least includes including repeaters, coupler
arrangements, and necessary carrier frequency converters and-transponder
output level controls, wherein the infrastructure uses the systematic and
distributed signal conditioner for enabling utilization of the signal medium; and
transponder interfaces connected to a D/A and A/D physical layer
(PHY).--

No new matter has been added by the above amendment. The preamble of

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Independent claim 171 has been amended merely to clarify that the claimed elements are part of a system; the applicant considered this necessary based on the nature of the examiner's rejection.

The applicants submit that by the present amendment, all of the elements of claim 171 are put forth both clearly and definitely, and as such, claim 171 is now in condition for allowance.

As to the dependent claims 172-226, these claims have been amended in accordance with the above amendments to claim 171 and also in accordance with the examiner's comments regarding claim 171. That is, these claims have been amended to correspond to the presently amended preamble of claim 171 and to replace language that may be considered unclear (e.g., in claim 188 "that uses" has been amended to recite --further comprising--. As such, no new matter has been added by the amendments to claims 172-226. The applicant respectfully submits that claims 172-226 are allowable at least since they depend from claim 171, which is considered to be in condition for allowance for the reasons above.

For the reasons set forth above, the applicant respectfully submit that the above amendments to claims 171-226, pending in this application, overcome the above rejections and thus claims 171-226 are in condition for allowance.

Accordingly, the applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and earnestly solicits an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

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Respectfully submitted,

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